

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PHAN HUE,	:	CIVIL NO. <b>1:01-CV-1064</b>
	:	
Plaintiff	:	(Judge Kane)
	:	
v.	:	(Magistrate Judge Smyser)
	:	
JAMES UPDIKE,	:	
JOSEPH MATALONI,	:	
EDWARD O'BRIAN and	:	
DALE HAZLAK,	:	
	:	
Defendants	:	

**ORDER**

AND NOW, this 14<sup>th</sup> day of April, 2003, **IT IS HEREBY ORDERED** that the Corrections Defendants' motion (doc. 77) for leave to file an additional motion for summary judgment is **GRANTED**. The motion for summary judgment filed on April 11, 2003 is deemed timely filed. The plaintiff shall file a response to the defendants' statement of material facts, a brief and any summary judgment evidence he has in opposition to the motion on or before May 15, 2003.

/s/ J. Andrew Smyser

J. Andrew Smyser  
Magistrate Judge

Dated: April 14, 2003.